

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ANDIN INTERNATIONAL, INC.

Plaintiff,

- against -

YURMAN STUDIO, INC.

Defendant.

Civil Action No. 08 cv 1159 (HB)

ECF CASE

**NOTICE OF DISMISSAL WITH
PREJUDICE**

YURMAN STUDIO, INC.

Defendant-
Counterclaimant,

- against -

ANDIN INTERNATIONAL, INC.,
WAL-MART STORES, INC., and
VARDI GEM LUSTRE, LLC

Counterclaim-
Crossclaim Defendants.

X

X

WHEREAS, counsel for the plaintiff Andin International, Inc. ("Andin"), defendant-counterclaimant Yurman Studio, Inc. ("Yurman"), and crossclaim defendant Wal-Mart Stores, Inc. /Sam's Club ("Wal-Mart"), have agreed on procedures for dealing with certain issues relating to this action; and

WHEREAS, such agreement was submitted to the Court in the form of a Stipulation and Order, which was subsequently entered by the Court on February 29, 2008 (the "February 29, 2008 Order");

NOW THEREFORE PLEASE TAKE NOTICE that, pursuant to Federal Rule of Civil Procedure 41(a)(1), and in accordance with the terms of the February 29, 2008 Order, Yurman

hereby dismisses the above-entitled action, with prejudice and without costs to either party, against crossclaim defendant Wal-Mart, which has neither answered nor moved for summary judgment in this action.

Dated: New York, New York
March 5, 2008

ARNOLD & PORTER LLP

By:



Louis S. Ederer (LE 7574)
John Maltbie (JM 3658)
399 Park Avenue
New York, New York 10022
(212) 715-1000
*Attorneys for Defendant-Counterclaimant
Yurman Studio, Inc.*